



10/31/02 #3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : ATTN: BOX PCT  
Junichi MIYAZAKI et al. : Docket No. 2002\_0053A  
Serial No. 10/031,396 :  
Filed January 18, 2002 :

A METHOD FOR CONSTRUCTING RECOMBINANT  
ADENOVIRUS VECTOR  
[Corresponding to PCT/JP00/04815  
Filed July 18, 2000]

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT**

Assistant Commissioner for Patents,  
Washington, DC 20231

Sir:

Pursuant to the provisions of 37 CFR 1.56, 1.97 and 1.98, Applicants request consideration of ☒ the references listed on attached form PTO-1449 and/or ☐ the additional information identified below in paragraph 3. A legible copy of each reference listed on the form PTO-1449 and each U.S. patent application listed below is enclosed, except a copy is not provided for each reference previously cited by or submitted to the Patent Office in prior parent application Serial No. .

1a. ☒ This Information Disclosure Statement is submitted:

within three months of the filing date (or of entry into the National Stage) of the above-entitled application, or

before the mailing of a first Office Action on the merits or the mailing of a first Office Action after the filing of an RCE,

and thus no certification and/or fee is required.

1b. ☐ This Information Disclosure Statement is submitted

after the events of above paragraph 1a and prior to the mailing date of a final Office Action or a Notice of Allowance or an action which otherwise closes prosecution in the application, and thus:

(1) ☐ the certification of paragraph 2 below is provided, or

(2) ☐ the fee of \$180.00 specified in 37 CFR 1.17(p) is enclosed.

1c. ☐ This Information Disclosure Statement is submitted:

after the mailing date of a final Office Action or Notice of Allowance or action which otherwise closes prosecution in the application, and prior to payment of the issue fee, and thus:

**the certification of paragraph 2 below is provided, and**

**the fee of \$180.00 specified in 37 CFR 1.17(p) is enclosed.**

2. It is hereby certified

a. ☐ that each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the Statement, or

b. ☐ that no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of the Statement.

3. ☐ Consideration of the following list of additional information (including any copending or abandoned U.S. application, prior uses and/or sales, etc.) is requested.

4. For each non-English language reference listed on the attached form PTO-1449, reference is made to:

- a. ☐ a full or partial English language translation submitted herewith,
- b. ☐ a foreign patent office search report (in the English language) submitted herewith,
- c. ☐ the concise explanation contained in the specification of the present application at page,
- d. ☐ the concise explanation set forth in the attached English language abstract,
- e. ☐ the concise explanation set forth below or on a separate sheet attached to the reference:

5. ☒ A foreign patent office search report citing one or more of the references is enclosed.

Respectfully submitted,

Junichi MIYAZAKI et al.

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Sheet 1 of 1							
FORM PTO 1449 (modified) U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE				PATENT DOCKET NO. 002_0053A		SERIAL NO. 10/031,396	
LIST OF REFERENCES CITED BY APPLICANT(S) (Use several sheets if necessary)				APPLICANT Junichi MIYAZAKI et al.			
Date Submitted to PTO: February 22, 2002				FILING DATE January 18, 2002		GROUP	
U.S. PATENT DOCUMENTS							
*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AA						
	AB						
	AC						
	AD						
	AE						
	AF						
	AG						
	AH						
	AI						
FOREIGN PATENT DOCUMENTS							
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES NO
	AJ						
	AK						
OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)							
	AL	S. Miyake et al., "Efficient generation of recombinant adenoviruses using adenovirus DNA-terminal protein complex and a cosmid bearing the full-length virus genome", Proc. Natl. Acad. Sci., Vol. 93, pp. 1320-1324, February 1996.					
	AM	S. Fu et al., "Use of the cosmid adenoviral vector cloning system for the <i>in vitro</i> construction of recombinant adenoviral vectors", Human Gene Therapy, Vol. 8, pp. 1321-1330, July 20, 1997.					
	AN	H. Kojima et al., "Generation of recombinant adenovirus vector with infectious adenoviral genome released from cosmid-based vector by simple procedure allowing complex manipulation", Biochemical and Biophysical Research Communications, Vol. 246, pp. 868-872, 1998.					
	AO	F. Graham et al., "Manipulation of adenovirus vectors", Methods in Molecular Biology, Vol. 7, pp. 109-128, 1991.					
EXAMINER				DATE CONSIDERED			

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.